

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

VOTER REFERENCE FOUNDATION, )  
LLC, )  
Plaintiff, )  
v. )  
RAÚL TORREZ, in his official )  
capacity as New Mexico Attorney General, and )  
MAGGIE TOULOUSE OLIVER, in her )  
Official capacity as New Mexico )  
Secretary of State, )  
Defendants. )

**PLAINTIFF'S UNOPPOSED MOTION TO SEAL**

Plaintiff Voter Reference Foundation moves the Court for an order sealing discrete portions of Plaintiff's Proposed Findings of Fact and Conclusions of Law. In support of this Motion, Plaintiff states:

1. The Parties agreed to a Protective Order for Confidential and Proprietary Information, which the Court entered on February 14, 2023. [Doc. 94].
2. The Parties subsequently filed a motion to amend the Agreed Protective Order on March 10, 2023 [Doc. 112]. The Court granted that motion and entered the amendment to the Agreed Protective Order on March 24, 2023. [Doc. 114].
3. Plaintiff submits this Motion in accordance with the terms of the Protective Orders. “At the time of any hearing or trial of this cause, should it be deemed necessary to use any CONFIDENTIAL INFORMATION, then the Court shall be advised and requested to take whatever actions deemed necessary by the Court to maintain the confidentiality of such

information, including limitation on the filing or submittal of such documents, writings or evidence.” Doc. 112 at p. 4.

4. Plaintiff refers to information, testimony, and documents designated as “CONFIDENTIAL” under the Agreed Protective Order and amendment thereto in its Motion for Partial Summary Judgment, filed on April 14, 2023. In the version will file with the Court pending its ruling on this motion, Plaintiff has redacted the information designated as “CONFIDENTIAL” pursuant to the Agreed Protective Order and amendment thereto.

5. Specifically, Plaintiff redacted two categories of information, testimony, and documents that were designated as “CONFIDENTIAL.”

6. First, pursuant to the Amended Protective Order, Plaintiff redacted certain “Protected Information” consisting of “whether the Office of the Attorney General provided legal advice to the Secretary of State on each specific request Voter Reference Foundation made to the Secretary of State for voter data...” *See* Amended Protective Order [Doc. 114] at pp. 2-3. Pursuant to the Amended Protective Order, this information may only be shared with counsel, the Court and its staff, and the parties. *Id.* at 3.

7. Second, Plaintiff redacted an exhibit produced in response to a third-party subpoena which was designated as “CONFIDENTIAL” by the producing party pursuant to the terms of the Protective Order. Plaintiff likewise redacted references to and testimony regarding that confidential exhibit. This second category of “CONFIDENTIAL” information includes proprietary business information of the producing party, including information that may reveal competitive pricing data.

8. In order to maintain the confidential nature of the above information, Plaintiff respectfully requests that the Court allow it to publicly file the redacted version of its Proposed Findings of Fact and Conclusions of Law and file an unredacted version of the same under seal.

9. Defendants do not oppose this Motion.

For the foregoing reasons, Plaintiff respectfully requests that this Motion to Seal be granted, that Plaintiff be allowed to file a redacted version of its Proposed Findings of Fact and Conclusions of Law with the Court as well as an unredacted version filed under seal, and for such other and further relief as the Court deems appropriate.

Respectfully submitted this 9<sup>th</sup> day of November, 2023

**GRAVES GARRETT, LLC**

/s/ Edward D. Greim

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**CERTIFICATE OF SERVICE**

I, Edward D. Greim, certify that on November 9, 2023, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which sent notification to the counsel of record via e-mail:

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Dated: November 9, 2023

*/s/ Edward D. Greim*  
Edward D. Greim